

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42333 of 2022

Arising Out of PS. Case No.-43 Year-2022 Thana- PHENHARA District- East Champaran

1. Samir Chandra Suman @ Sameer Chandra Suman S/o Harendra Prasad Sinha R/o village- Phenhara Purvi Tola, P.S.- Phenhara, Distt.- East Champaran
2. Vinita Chandra Suman W/o Samir Chandra Suman @ Sameer Chandra Suman R/o village- Phenhara Purvi Tola, P.S.- Phenhara, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-12-2022 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 447, 384, 387, 504, 506/34 of the Indian Penal Code.

As per the prosecution case, petitioners used to collect rent from the tenant of shops of the informant after putting them under pressure. Petitioner no. 1 is son and petitioner no. 2 is daughter-in-law of the informant.

It is submitted that due to some dispute in the family this false and concocted case has been lodged by the informant against his son and daughter-in-law. Petitioner is elder son of



informant and was earning his livelihood at Chhatisgarh and started his own business there. In fact, petitioners constructed a market in his share of land, but the same was being looked after by the mother of petitioner no. 1 who appointed a person namely, Mintu Kumar to collect the rent and to transfer the same to the petitioners, but after the demise of mother of petitioner no. 1, petitioners took over the charge of his share and the market, as the brothers of petitioner no. 1 are not fair and informant is mentally ill.

Counsel for informant submitted that during pendency of this case informant has already died.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Phenhara P.S. Case No. 43 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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